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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/452,421	12/01/1999	FELIX G.T.I. ANDREW	202266	1298

7590 06/03/2003

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TWO PRUDENTIAL PLAZA
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CHICAGO, IL 606016780

EXAMINER

DAS, CHAMELI

ART UNIT	PAPER NUMBER
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2122

10

DATE MAILED: 06/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

09/452,421

Applicant(s)

ANDREW ET AL.

Examiner

C.DAS

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☒ Interview Summary (PTO-413) Paper No(s). 10.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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1. This action is in response to the amendment filed on 4/14/03.
2. Claims 1, 33, 34, 35 and 36 have been amended.
3. Claims 1-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madison Jr, et al (Madison), US 5,887,139 and further in view of Lipkin, US 5,999, 944.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madison Jr, et al (Madison), US 5,887,139 and further in view of Lipkin, US 5,999, 944.

As per independent claims 1, 20, 28, 33, 34, 35, 36 and 37, Madison (US 5,887,137) discloses that resource file is not compiled.

Madison reference discloses that resource file is physically distinct from the user interface application (col 1, lines 57- 63, “the server and client are resident on separate platforms and are connected by a network. The resource information is provided by an application that resides on

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the server ... over the network to the client”), the resource application is executed during the initiation of the system (col 3, lines 56-57, “Resource application 46 is executed during initiation of the system”). The resource application sends the resource information in HTML to the web browser over the network (col 4, lines 37-45, “This causes the display of a HTML file on web browser 30(after the file has been sent form web server 44). The user can then start the resource application 46 by clicking on an HTML link. Web server 14 then executes resource application 46 (stored on local disk of the device 14). Resource application 46 performs the steps indicated FIGS 3A and 3B, including sending resource information to web browser 30 over the network in HTML”).

It clearly indicates that the resource application file does not need to compile since it was in the executed form from the initial state of the system and communicate in HTML format via web browser.

It is well known in the art that when a web page is loaded from the server via web browser using HTML (in executed form), there is no need to compile the HTML file. Similarly, the resource application sends the resource information (which is already in the executed form and in HTML format) to the web browser over the network. Therefore, there is no need to compile the resource information (resource file).

For the rest of the limitations of the independent claims 1, 20, 28, 33, 34, 35, 36 and 37, see the rejection in the previous office action.

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Response to Arguments

6. Applicant's arguments filed on 4/14/03 have been fully considered but they are not persuasive.

In the remark, the applicant has argued in substance :

(1) As per independent claims 1, 20, 28, 33, 34, 35, 36 and 37 Madison (US 5,887,137) does not disclose that "the resource file is not compiled".

Response:

(1) Madison (US 5,887,137) discloses that the resource file is not compiled. See the rejections of the independent claims 1, 20, 28, 33, 34, 35, 36 and 37 above.

Conclusion

7. Thus, the rejection of the claims over the prior art in the previous office action is maintained (see paper # 5) and **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. The prior art made or record and not relied upon is considered pertinent to applicant's disclosure.

TITLE: Method and system for dynamic-link library, US 5375241 A

TITLE: Method and apparatus for configuring an Internet appliance, US 6370141 B1

TITLE: World wide web formatting for program output through print function , US 6560621 B2

TITLE: Internet asset management system for a fuel dispensing environment, US 5980090 A.

TITLE: An Architecture for WWW- based Hypercode Environments, author: Kaiser et al, ACM, 1997.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chameli Das whose telephone number is 703-305-1339.

The examiner can normally be reached on Monday-Friday from 8:00 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor Greg Morse can be reached at 703-308-4789. The fax number for this group are:

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(703) 746-7239 (official fax), (703) 746-7240 (non-official/draft), (703) 746-7238 (after final).

An inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 703-305-9600.

Chameli C. Das
Chameli C. Das

Patent Examiner

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